

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DARRON McCALL,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:21-cv-00098-LSC-JHE
)	
OFFICER PORTER, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION

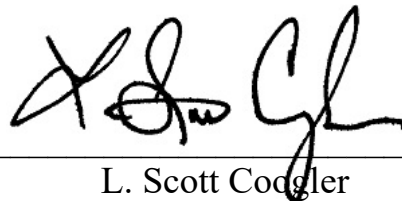
Plaintiff Darron McCall filed a *pro se* amended complaint under 42 U.S.C. § 1983, alleging violations of his rights under the Constitution or laws of the United States. (Doc. 22). On November 7, 2023, the magistrate judge entered a report recommending the court: (1) grant the defendants' motions for summary judgment and dismiss the claims in the amended complaint with prejudice; (2) deny McCall's cross-motion for summary judgment (Docs. 63, 64); and (3) deny as moot McCall's requests for declaratory and injunctive relief. (Doc. 71). Although the court advised the parties of their right to file specific written objections within 14 days, the court has not received any objections.¹

¹ The report and recommendation mailed to McCall at FCI-Gilmer was returned as undeliverable. (Doc. 75). The magistrate judge learned that McCall had been released from custody and on November 28, 2023, directed the Clerk of Court to resend the report and recommendation to an alternate address McCall provided previously. (Doc. 74 at 1–2). The magistrate judge advised McCall that he had 14 days from the entry date of the order to file objections to the report and recommendation. (Doc. 74 at 2). On November 30, 2023, the Clerk

After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Consistent with that recommendation, the court finds that the defendants' motions for summary judgment are due to be **GRANTED**, and the claims in the amended complaint are due to be **DISMISSED WITH PREJUDICE**. For the same reasons, the court finds that McCall's cross-motion for summary judgment (Docs. 63, 64) is due to be **DENIED**. Additionally, McCall's requests for declaratory and injunctive relief are due to be **DENIED**.

A Final Judgment will be entered.

DONE and **ORDERED** on January 9, 2024.

A handwritten signature in black ink, appearing to read 'L. Scott Coddler', is written over a horizontal line.

L. Scott Coddler
United States District Judge

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received McCall's notice of change of address which confirmed that his current address is the same as the address where the Clerk resent the report and recommendation two days earlier. (*Compare* Doc. 74, *with* Doc. 76). More than 14 days have elapsed, and the court has not received any objections.